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Security Council

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Letter dated 12 March 2001 from the Permanent Representative of Rwanda to the United Nations addressed to the President of the Security Council

On instructions from my Government, I have the honour to forward herewith some useful comments on the letter dated 26 February 2001 from the Charge d'affaires a.i. of the Permanent Mission of the Democratic Republic of the Congo to the United Nations addressed to the President of the Security Council and circulated as Council document S/2001/174, dated 27 February 2001.

The entire letter is designed to set back all the issues resolved by Security Council resolution 1341 (2001) of 22 February 2001. The letter questions the link between the inter-Congolese dialogue and the final withdrawal of foreign forces; it states a desire by the Government of the Democratic Republic of the Congo to dictate the terms of the dialogue; it rejects the offer by Rwanda to withdraw an extra 200 kilometres in the disengagement exercise; it rejects the demilitarization, demobilization, reintegration and resettlement process.

We respectfully wish to remind the Security Council of the following relevant parts of the Lusaka Ceasefire Agreement (S/1999/815) and resolutions of the Council as we go through the above-mentioned letter point by point for easy reference to it.

1. Inter-Congolese dialogue

The link with the national dialogue, called inter-Congolese political negotiations in the Lusaka Ceasefire Agreement, is established in article III, paragraph 12, which places the withdrawal of foreign forces in the Calendar in annex B. Paragraph 23 makes annexes A and B integral parts of the Agreement.

The attitude of the Government of the Democratic Republic of the Congo, that it can summon the facilitator and dictate modalities of the negotiations, is contrary to the letter and spirit of the Lusaka Agreement (article III, para. 19) and to Security Council resolution 1341 (2001), paragraph 15, also, which call on all Congolese parties to participate in preparation of the dialogue. Specifically chapter 5 of annex A, referred to in paragraph 19 of article III, in its point 5.4 gives the responsibility for consultations to the facilitator, and 5.5 asks the parties to agree on "the timetable and the rules of procedure". The Government of the Democratic Republic of the Congo cannot presume to be engaged in any of the stated acts without bringing prejudice to the Lusaka Agreement.

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2. Disengagement

Whereas the Security Council "welcomes the commitment of the Rwandan authorities in their letter of 18 February 2001 (S/2001/147), to withdraw their forces ...", as stated in paragraph 4 of resolution 1341 (2001), the Democratic Republic of the Congo calls this an act of bad faith and seeks punitive action. This is intended to denigrate a major contribution to the peace process and mask the failure of the Government of the Democratic Republic of the Congo and its allies to reciprocate.

3. Deployment of the United Nations Organization Mission in the Democratic Republic of the Congo (MONUC)

No comment.

4. Co-location of MONUC and the Joint Military Commission (JMC)

The assessment of security for members of the Joint Military Commission (JMC) is not the responsibility of the Government of the Democratic Republic of the Congo. Each party to the agreement will make its own evaluation and inform the Political Committee through an appropriate JMC report.

5. Security concerns of neighbouring countries

The Government of the Democratic Republic of the Congo cannot deny responsibility for Interahamwe/ex-Forces armées rwandaises, and all the other negative forces for that matters, with impunity. Paragraph 22 of article III, of the Lusaka Agreement, states in part: "... The Parties assume full responsibility of ensuring that armed groups operating alongside their troops or on the territory under their control, comply with the processes leading to the dismantling of those groups in particular."

Moreover, Security Council resolution 1341 (2001) in its paragraph 8, "... demands that all parties cease all forms of assistance and cooperation with these groups ...".

Seeking to protect these groups by calling them a pretext for Rwanda's "aggression" shows that Kabila's government is deliberately seeking to continue the conflict by misrepresenting our security concerns. The way to handle any future security concerns along our common border is spelt out in paragraph 21 of article III and chapter 12 of annex A of the Lusaka Agreement.

6. Respect for human rights

The Government of the Democratic Republic of the Congo has just confessed to the brutal murder of a number of people referred to as Lebanese; but the killings of civilians, execution of soldiers, arrests and detentions are carried out daily. Security Council resolution 1341 (2001), adopted before some of these came to light, in paragraph 9 condemns these acts anywhere they occur. Also, linking the prevalence of human immunodeficiency virus/acquired immunodeficiency syndrome (HIV/AIDS) in the Congo to foreign forces is nothing but misrepresenting the history of HIV/AIDS in that country where the first cases were found in bigger number than elsewhere in the region as far back as 1985 and where no consistent

and sustained campaign has since been undertaken towards containing the spread of HIV/AIDS on a national level.

7. Provision of humanitarian aid

No comment.

8. Kisangani

Rwanda withdrew its forces from Kisangani in accordance with Security Council resolution 1304 (2000). This was duly reported by the Secretary-General of our organization.

9. Illegal exploitation of natural resources and other forms of wealth of the Democratic Republic of the Congo

No comment.

I would appreciate if the present letter could be circulated as a document of the Security Council.

(*Signed*) Joseph W. **Mutaboba**
Ambassador
Permanent Representative